



Royal Canadian Mounted Police
Gendarmerie royale du Canada

Canada

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OM - ch. 21.2. Personal Search

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For information regarding this policy, contact National Criminal Operations, Contract and Aboriginal Policing at Groupwise address [OPS POLICY HQ](#).

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1. Definitions

1. 1. **Internal search** means a search of body orifices, excluding the mouth.
1. 2. **Medical Practitioner** means a person lawfully entitled to practice medicine in the place in which the practice is carried out by that person.
1. 3. **Personal search (frisk)** means a search by manual or technical (wand) methods of a person's clothed body.
1. 4. **Strip search** means the removal or rearrangement of some or all of the clothing of a person so as to permit a visual inspection of a person's private areas, namely genitals, buttocks, breasts (in the case of a female), or undergarments.
1. 5. **Wand** means an electronic instrument used to detect concealed metal objects on a person's body.
1. 6. **Undergarments** means clothing worn under clothes, often next to the skin.

2. General

2. 1. When conducting a personal search, ensure you take the appropriate precautions to protect yourself.
2. 2. Consult a medical practitioner if you accidentally puncture yourself or come into contact with bodily fluids from a person suspected to be in a high-risk category.
2. 3. Body searches will be conducted in a manner that interferes as little as possible with the privacy and dignity of the person being searched and does not infringe on [section 8, Canadian Charter of Rights and Freedoms](#).
2. 4. A strip search is not considered routine police protocol.

NOTE: Should force be necessary to complete a strip search, the application of that force must be in accordance with the Criminal Code of Canada and the Incident Management/Intervention Model.

2. 5. A strip search should only be conducted when there are reasonable grounds to believe:

2. 5. 1. that the detainee is concealing evidence relating to the reason for the arrest, or

2. 5. 2. that the detainee is concealing items that may aid them to escape or pose safety concerns to the police, public, or the detainee.

2. 6. In accordance with sec. 3.1.2, Strip Search, conduct a strip search on a person of the same gender, in private.

EXCEPTION: Unless exigent circumstances require an immediate search for the preservation of evidence or to ensure the health and safety of members, the public, or detained persons.

2. 7. When conducting a search of a transgender person, refer to OM ch. 19.11., Transgender Persons in Custody.

3. Roles and Responsibilities

3. 1. Member

3. 1. 1. General

3. 1. 1. 1. All searches must:

3. 1. 1. 1. 1. be conducted by a member of the same gender, unless an immediate risk of injury or escape exists or in exigent circumstances. Refer to sec. 1.6.;

3. 1. 1. 1. 2. not be conducted by more members than necessary to ensure the safety of the members and the detainee; and

3. 1. 1. 1. 3. be explained to a young person using appropriate language, providing the reason and manner of the search.

NOTE: Upon arrest or detention of a young person, ensure that a parent, guardian, or responsible adult is notified (according to the Youth Criminal Justice Act and OM ch. 39.2., Arrest – Young Person) and that they are advised if a strip search has been or will be conducted.

3. 1. 2. Strip Search

3. 1. 2. 1. When conducting a strip search, you must be guided by R. v. Golden, Para. 101 (1 through 11).

3. 1. 2. 2. A strip search must be:

3. 1. 2. 2. 1. authorized verbally or in writing, by a supervisor or delegate, unless exigent circumstances exist;

NOTE: Removal of undergarments must be authorized by a supervisor/delegate, unless exigent circumstances exist.

3. 1. 2. 2. 2. conducted quickly, and where possible, in a manner that the detainee is not, at any time, completely undressed;

3. 1. 2. 2. 3. conducted in a private and hygienic area at an RCMP facility or a medical facility, unless exigent circumstances require an immediate search for the preservation of evidence or to ensure the health and safety of members, detained persons, and/or the public; and

3. 1. 2. 2. 4. documented on Form C-13-1, Prisoner Report and signed by the supervisor/delegate.

3. 1. 2. 3. If a private room is not available for the search, conduct the search in a cell and ensure the monitor is turned off or covered to ensure all measures are taken to provide privacy to the detainee.

3. 1. 2. 4. If a member is not involved in the search, they will not observe in any way, unless required for investigative purposes. Refer to R. v. Fine, [2015] BCPC 3.

3. 1. 2. 5. Make accurate, detailed notes of the authorization, the reasons for the strip search, and the manner in which it was conducted.

3. 1. 2. 6. When police safety concerns are not present, you will consider:

3. 1. 2. 6. 1. having the detainee run their hands vigorously through their hair to show there is nothing hidden on their scalp; and

3. 1. 2. 6. 2. directing the detainee to move/manipulate their body parts until you are satisfied upon visual inspection that nothing has been concealed:

3. 1. 2. 6. 2. 1. ask female detainees to lift up their breasts or any folds, and open their legs; and

3. 1. 2. 6. 2. 2. ask male detainees to lift up their penis and scrotum, and if they are uncircumcised to pull back their foreskin.

3. 1. 2. 7. Seize and secure any evidence that is found. Refer to OM ch. 22.1., Processing.

3. 1. 2. 8. A guard or matron may search a detainee of the same gender when directed by a member. Refer to OM ch. 19.3., Guarding Prisoners and Personal Effects.

3. 2. Supervisor/Delegate

3. 2. 1. Ensure the strip search is authorized and procedures in sec. 3.1.2. are followed.

3. 2. 2. Document the member's account regarding why a strip search was necessary, and then document authorization in their notes.

3. 2. 3. Notify your detachment commander if a member does not follow the criteria for conducting a strip search.

4. Internal Search

4. 1. Be authorized, verbally or in writing, by a supervisor/delegate, unless exigent circumstances exist.

4. 2. Reasonable grounds must exist to warrant an internal search (which may include a visual inspection) to determine if a weapon or evidence is concealed in a body cavity.

NOTE: An internal search must be conducted by a medical practitioner, unless there is a concern for safety, given the highly intrusive nature of the procedures.

4. 3. An internal search must be conducted in a private and hygienic area at an RCMP facility or a medical facility, unless exigent circumstances require an immediate search for the preservation of evidence or to ensure the health and safety of members, detained persons, and/or the public.

4. 4. Inform the medical practitioner, where practicable, that the person being searched should be given the opportunity to personally remove the object (other than a weapon), if on the advice of the medical practitioner the object can be safely removed by the subject.

4. 5. Make accurate, detailed notes of the authorization, the reason for the internal search, and the manner in which it was conducted.

4. 6. The RCMP will provide legal support to medical practitioners in criminal or civil actions, provided the action was a result of the doctor assisting a peace officer in the execution of their duties.

5. Cell Block Searches

5. 1. Remove all strings or cords from sweat pants, shorts, hooded sweat tops, or similar clothing that a detainee will be wearing in a cell.

5. 2. Search bras or similar undergarments. If there are no identifiable police or public safety concerns, the detainee may be permitted to keep the undergarment on in cells.

5. 3. If officer or detainee safety is at risk, place the bra or similar undergarment with the detainee's effects, to be returned upon release.

5. 4. When feasible, the detainee must be checked with a wand before being placed in a cell.

References

- [Occupational Safety Manual](#)
- [R. v. Greffe, \[1990\] 1 S.C.R. 755](#)
- [R. v. P.F.G., 2005 BCPC 187](#)
- [Department of Justice](#)

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